FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6311 OF 2005

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	: Coram, : : : :	Court's or Judge's Orders .

Mr. S. A. Sawant for the petitioner

Mr. S. S. Hardikar for R

CORAM: SMT. RANJANA DESAI, J.
28/9/2005

P.C.:-

In this writ petition order dated 5/9/05 passed by the Family Court, Pune allowing amendment application filed by the respondent is challenged.

2. I have heard the learned counsel for the petitioner. He submitted that the respondent wants to merely intorudce some facts which are already on record and this is an attempt to delay the proceedings. He submitted that the High Court has made pending proceedings time bound and the

Family Court has to dispose of the same by 5th of October, 2005. If this amendment is allowed the trial court will not be able to dispose of the proceeding by 5th October, 2005. He submitted that in the circumstances the trial court's order be set aside.

3. I have perused the draft amendment which is proposed to be carried out. In my opinion, by this amendment the respondent wants to introduce some more facts. It does not change the nature of the pending proceedings. The amendment is rightly allowed. Hence petition will have to be rejected and is rejected as such.

4. It is apparent that because of this amendment the Family Court may not be able to conclude the proceedings by 5th October, 2005. Hence Family Court is directed to dispose of the pending proceedings by 5th November, 2005.

5. Needless to say that the petitioner will be entitled to lead

evidence in connection with the amendment which will be carried out.

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